


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JAN 16 2013

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

TONY R. MOORE, CLERK
BY  DEPUTY

LAKE CHARLES DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO. 05-20183

-vs-

JUDGE MINALDI

CHRISTOPHER J. COMEAUX

MAGISTRATE JUDGE KAY

MEMORANDUM RULING

Improperly received in these Chambers, without filing in the record, is a "Petition for Permanent Writ of Prohibition Directed to Chief U.S. District Judge Richard T. Haik" signed by Christopher J. Comeaux, acting *pro se*. As current Chief Judge, the undersigned has reviewed it and has determined the following:

This "petition" is at least grossly frivolous and completely improper. The petitioner was convicted after a trial by jury according to the record, and he was sentenced entirely APPROPRIATELY by District Judge Patricia Minaldi. He now complains that she was biased, because she had properly harsh comments about the opprobrious conduct he exhibited in his revolting crimes of self indulging passion with his minor step-daughter.

We have reviewed the record and note with particular interest that the matter of the sentence petitioner received was obviously before the Fifth Circuit Court of Appeals, as it was called upon specifically to determine the correctness of his sentence. The Circuit Court affirmed in every regard. We also note that this petitioner recently filed a

motion to recuse Judge Minaldi for essentially the same reasons alleged here. She properly denied the motion with appropriate citations of the correct standards.

Put simply, there is absolutely NO basis for further consideration of this "petition." To the extent that it asks for any relief, including removal of Judge Minaldi, declarations of lack of jurisdiction before her, or otherwise, it is DENIED. The pending Motion under 28 U.S.C. Section 2255 is properly before her for further consideration.

The Clerk of Court shall file this Memorandum Ruling in Criminal Docket Number 2:05-20183, together with the referenced "petition" as Exhibit 1.

SIGNED on this 16th day of January, 2013 at Alexandria, Louisiana.

A handwritten signature in black ink, appearing to read 'D. Drell', with a long horizontal line extending to the right.

DEE D. DRELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT